

7.01.05 Tree Protection: ~~Except for activities within the RR-1, R-1, R-1A and R-1M Zones and the Agricultural Zones (AG and AG-2), the provisions of this section relate to all new developments within the County.~~ No protected tree shall be removed without first obtaining a tree removal permit, except as provided below.

1. For residential subdivision development, tree protection requirements are limited to Heritage Trees and Champion Trees.

2. This section shall not apply to lots or parcels of land on which a single family residential home exists or for which a permit for the construction of a single family residential home has been obtained.

3. This section shall not apply to agriculture or silviculture activity. However, parcels cleared for agriculture or silviculture activities that are subsequently converted to other uses may be subject to additional landscaping requirements.

A. Permit Required. ~~Pursuant to section 4.01.01, no construction activities may be commenced, including the clearing of land, until the applicant for such construction activity has obtained a permit from the County to do so. Protected or preserved trees shall not be removed or damaged without first obtaining a tree removal permit from the County.~~ The Planning Director, or his designee, shall review all plans for conformance with the tree protection and landscape requirements of this Ordinance. ~~The purpose of the review is to assure that protected trees are not removed or damaged during site preparation activities and to assure that all landscaping requirements are fulfilled.~~ Within agriculture and residential zoning districts, underbrush may be cleared provided that protected or preserved trees are not removed without a permit.

In considering applications for the removal of protected trees, the Planning Director, or his designee, ~~shall consider and~~ may approve such requests based upon the following standards:

1. The applicant demonstrates that reconfiguration of the proposed development is impractical or infeasible based upon characteristics of the site, including site dimensions and topography; or
2. The location of the tree will constitute a hazard upon completion of development (i.e. traffic hazard, impair visibility at intersections or driveways, etc.) and the applicant demonstrates that such hazards cannot be avoided and such development is consistent with good engineering practices; or
3. The tree, if left on the site, will constitute a potential hazard to principal or accessory structures or adjoining structures or property as verified by a qualified specialist; or

4. The tree or its root system will interfere with or damage required infrastructure, including water and sewer lines and laterals and the applicant demonstrates that such impacts cannot be avoided and such development is consistent with good engineering practices; or

5. The tree is located in the area of the principal structure ~~or area of any required roadway~~ or would result in the loss of a buildable lot and the applicant demonstrates that such impact cannot be avoided and such development is consistent with good engineering practices.

6. ~~— The clearing of land without first obtaining a permit from the County shall be a separate violation for each 1/4 acre of land cleared.~~

The removal of a protected tree without first obtaining a permit from the County shall be a separate violation for each protected tree removed,

and/or for each 1/4 acre of land cleared, whichever applies and results in the largest fine.

B. Tree Protection Required. Trees shall be protected as follows:

1. During development activity, protected trees shall be safeguarded from activities which may injure or kill them. ~~Tree protection techniques found in the Tree Protection Manual for Builders and Developers of the State Department of Agriculture and Consumer Services, Division of Forestry, or equivalent techniques, shall be used.~~ Tree protection fencing shall be installed prior to any land disturbing activities within 50% of the drip zone of the protected tree, unless otherwise approved by the Community Planning, Zoning and Development Division. At no time shall materials, equipment, or construction offices be stored within this area. In any area where excavation is required around protected trees, root pruning will be required to one foot (12 inches) below finished grade.

2. Exclusive of the principal structure area, ~~and/or the area for any required new roadway,~~ when a protected tree must be removed or relocated, ~~an indigenous canopy trees shall replace it according to the mitigation table in this section. Trees shall be a minimum of eight feet overall height immediately after planting with at least a two-inch diameter measured at 4 1/2' above grade and be three (3) inches in caliper measured at six (6) inches above grade. No protected tree may be removed or relocated without a removal permit authorized by the Planning Director or his designee. Replacement trees must be selected from the Santa Rose County List of Recommended Native and Non-Invasive Plants, or approved alternate. These trees are required to be Florida One or Florida Fancy,~~

according to “Grades and Standards for Nursery Plants” by the Florida Department of Agriculture and Consumer Services.

3. Unless otherwise approved by Community Planning, Zoning and Development Division, fifty percent (50%) of the area within the drip line of protected trees shall be maintained in either vegetative landscape material or pervious surface cover. Grading, filling, and ditching cannot take place within 50% of the drip line of the tree.

~~C. — Planting Trees. The applicant or developer planting any tree must consider future overhead maintenance. If trees are required where overhead utilities exist, and such trees may create a maintenance potential, only species whose expected height at maturity will not create interference may be planted. Tree species from the Planning Department’s Replant List must be used for all landscaping requirements. Trees shall be a minimum of eight feet overall height immediately after planting with at least a two inch diameter. These trees are required to be Florida One or Florida Pretty, according to “Grades and Standards for Nursery Plants” by the Florida Department of Agriculture and Consumer Services.~~

D. Protected Trees - Protected trees are those trees that require a permit for removal.

1. Small Trees at a diameter of four (4) inches and greater at four and a half (4’) feet above grade:

Common Name	Genus/Species
(1) Flowering Dogwood	Cornus Florida
(2) Loblolly Bay	Gordonia lasianthus
(3) Atlantic White Cedar	Chamaecyparis virginicus

- 2 Large Trees at a diameter of eight (8) inches and greater at four and a half (4 1/2) feet above grade:

Common Name	Genus/Species
(1) River Birch	Betula Nigra
(2) Hickory	Carya sp.
(3) American Beech	Fagus grandiflora
(4) American Holly	Ilex paea sp.
(5) Southern Magnolia	Magnolia grandiflora
(6) Black Tupelo Gum	Nyssa sylvatica
(7) Tupelo Gum (<u>water gum</u>)	Nyssa aquatica
(8) White Oak	Quercus alba
(9) Swamp Chestnut Oak	Quercus michauxii

(10)	Live oak	Quercus virginiana
(11)	Bald Cypress	Taxodium distichum
(12)	Pond Cypress	Taxodium ascendens
(13)	<u>Sweet Gum</u>	<u>Liquidambar</u> <u>styraciflua</u>
(14)	Sand Live Oak	Quercus geminata
(15)	<u>Eastern Red Cedar</u>	<u>Juniperous virginiana</u>
(16)	<u>Southern Red Cedar</u>	<u>Juniperous solidicola</u>

3. Heritage Tree: A living tree of special protected status, 60 inches in diameter or greater at four and a half (4 1/2) feet above grade.

NOTE: A number of comments were received in support of designating different heritage tree size standards for different species. Staff is continuing to work with tree specialists to develop this list.

4. Champion Tree: A living tree measured to be the largest specimen of its species in the state as recorded in the champion tree registry of the University of Florida and the Division of Forestry, Florida Department of Agriculture and Consumer Services.

- E. Tree Credit and Mitigation Table. As noted in Section 7.01.05.B.2, when a protected tree is removed, indigenous canopy trees shall replace it. The total diameter of such replacement trees shall be determined based on the following Mitigation Schedule:

Tree Mitigation Schedule

<u>Diameter of removed tree at 4 1/2 feet above grade</u>	<u>Mitigation Requirements</u>
<u>4 - 12"</u>	<u>3" caliper measured at 6" above grade</u>
<u>12.1 - 18"</u>	<u>4" caliper measured at 6" above grade</u>
<u>18.1 - 24"</u>	<u>5" caliper measured at 12" above grade</u>
<u>24.1 - 30"</u>	<u>6" caliper measured at 12" above grade</u>
<u>30.1 - 36"</u>	<u>7" caliper measured at 12" above grade</u>

One additional inch of mitigation will be required for each additional 6" of diameter beyond 36". The total required mitigation diameter can be achieved by

planting multiple trees of varying diameter until the mitigation requirements are met.

Healthy trees which are preserved shall receive credit for the tree planting requirements according to the following schedule:

Tree Credit Schedule

Diameter of <u>preserved</u> tree at 4 1/2 feet above grade	Credit
1.5 - 2"	1/2" diameter credit
2.1 - 6"	1" diameter credit
6.1 - 12"	2" diameter credits caliper
12.1 - 18"	3" diameter credits caliper
18.1 - 24"	4" diameter credits caliper
24.1 - 30"	5" diameter credits caliper
30.1 - 36"	6" diameter credits caliper

One additional credit can be obtained for each additional 6" of diameter beyond 36". ~~In addition, if trees are preserved within one hundred and fifty (150) percent of their drip line, the credit will be one and a half times as that listed.~~ Credits for the protection and preservation of native shrubs, hedges and ground cover can be established by the Planning Department.

F. Incentives. The Community Planning, Zoning and Development Division may grant limited administrative variances to the requirements of this Ordinance to accommodate the protection of existing trees. Examples of requirements that may be varied administratively include: number of required parking spaces, landscape requirements, and perimeter buffer width.

Development Order review fees can be reduced by 20% if a licensed landscape architect is part of the project design team as demonstrated on the site plan by a signature and seal.

For single family residential subdivisions, the developer will have the option of tree planting in lieu of meeting the tree protection requirements. The minimum tree planting requirements for this option will be two trees per residential lot and meet the standards specified in 7.01.05.B.2 above. The tree planting requirements must be made part of the restrictive covenants for the subdivision, or otherwise guaranteed by the developer.